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September 3, 2015

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Marlene H. Dortch, Secretary  
FCC  
445 12th Street, S.W.  
Washington, D.C. 20554

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SEP 14 2015

FCC Mail Room

Re: EB Docket #03-152  
Enclosed Joint Opposition to Enforcement Bureau's Motions  
to Compel, Etc.  
Request for Return of File Date Stamped Copy of Caption  
Page

Secretary:

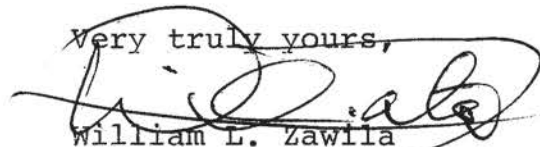
Enclosed for filing is an original and three (3) of a Joint  
Opposition to Enforcement Bureau's Motions to Compel, Etc.  
in the above-referenced matter.

Also enclosed is a copy of the caption page to be conformed  
with a file date stamp and returned to this office in the  
enclosed self-addressed stamped envelope.

Thank you for your assistance in this matter.

WLZ/jc  
encls

Very truly yours,



William L. Zawila  
Attorney for the Estate of  
Linda Ware, the Estate of  
H.L. Charles, Avenal Education-  
al Services, Inc., Central  
Valley Educational Services,  
Inc., and William L. Zawila

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Before the  
Federal Communications Commission  
Washington, DC 20554

Received & Inspected

SEP 14 2015

FCC Mail Room

In the Matter of

**WILLIAM L. ZAWILA**

Permittee of FM Station KNKS  
Coalinga, California

**AVENAL EDUCATIONAL SERVICE, INC.**

Permittee of FM Station KAAX,  
Avenal, California

**CENTRAL VALLEY EDUCATIONAL  
SERVICES, INC.**

Permittee of FM Station KYAF,  
Firebaugh, California

**H. L. CHARLES d/b/a FORD CITY  
BROADCASTING**

Permittee of FM Station KZPE,  
Ford City, California

**LINDA WARE d/b/a LINDSAY  
BROADCASTING**

Licensee of FM Station KZPO,  
Lindsay, California

) EB Docket No. 03-152

) Facility ID No. 72672

) Facility ID No. 3365

) Facility ID No. 9993

) Facility ID No. 22030

) Facility ID No. 37725

To: Marlene H. Dortch, Secretary  
Attn: Chief Administrative Law Judge  
Richard L. Sippel

JOINT OPPOSITION TO ENFORCEMENT BUREAU'S MOTIONS  
TO COMPEL AVENAL EDUCATIONAL SERVICES, INC.,  
CENTRAL VALLEY EDUCATIONAL SERVICES, INC., THE  
ESTATE OF LINDA WARE, THE ESTATE OF H.L. CHARLES,  
AND WILLIAM L. ZAWILA TO PROVIDE COMPLETE RESPONSES  
TO OUTSTANDING DISCOVERY REQUESTS

Avenal Educational Services, Inc., Central Valley Educational Services, Inc., the Estate of Linda Ware, Cynthia Ramage, Executor, the Estate of H.L. Charles, Robert Willing, Executor, and William L. Zawila hereby jointly oppose the Enforcement Bureau's Motions to Compel the above-named parties to provide complete responses to outstanding discovery requests.

HEARING DESIGNATION ORDER, ALLEGATIONS, AND INVESTIGATION -

The enforcement bureau sits in the chair of the prosecutor and has the burden of proof in a revocation proceeding such as this one.

In this proceeding, the HDO makes serious allegations against the respondents and their attorney.

The FCC asserts that these allegations warrant revocation of the authorizations subject to this proceeding.

This matter was investigated for a number of years dating back to the late 1990's before the HDO was issued in this proceeding on 7-16-03.

Certainly, it would be reasonably expected that any competent investigation in this matter would have developed evidence to support the allegations in this matter before the HDO was issued. However, this does not appear to have occurred in this matter.

DISCOVERY REQUESTS -

The discovery requests served by the enforcement bureau suggest that the enforcement bureau knows little or nothing about the stations that are subject to this proceeding.

The requests for documents and interrogatories are not limited to the relevant time periods in the HDO or specific facts or circumstances within the relevant time periods in the HDO.

Clearly, the HDO is not unlimited in its relevant time periods in this matter.

Instead, the requests for documents and interrogatories attempt to reconstruct the entire almost 30 year history of each of the stations involved in this proceeding from the initial applications for these stations filed almost 30 years ago up to the present date.

As indicated in the respondents' objections, the vast majority of the requests for documents and interrogatories seek documents and information that is already in the FCC's records and files in violation of 47 CFR §1.325(b) which provides for the proper procedure to obtain such material.

Notably, the said motions to compel openly admit that they want documents and information even if such material is already in the FCC's records and files. This clear and blatant violation of 47 CFR §1.325(b) should not be allowed.

Also as indicated in the respondents' objections, the vast majority of the requests for documents and interrogatories are vague, ambiguous, and overbroad as they seek documents and information which cover the entire almost 30 year history of each of the subject stations from the initial applications for each station up to the present time.



Clearly, periods of time that precede the relevant periods of time in the HDO and periods of time after issuance of the HDO are not relevant to the matter at hand.

Also as indicated in the respondents' objections, the vast majority of the requests for documents and interrogatories seek information which is not relevant in this matter nor calculated in any way to lead to the discovery of admissible evidence.

Review of the enforcement bureau's discovery requests also reveals that some of the requests for documents and interrogatories attempt to unethically invade the attorney-client privilege and the attorney work product privilege.

The unlimited requests for documents and interrogatories for information which is already in the FCC's records and files as well as the unlimited requests for documents and information to literally reconstruct the entire almost 30 year history of each station involved in this proceeding adds up to discovery requests which are burdensome, oppressive, unnecessarily expensive, and a clear violation of 47 CFR §1.325(b) as noted above.

ATTEMPT TO CREATE NEW AND IRRELEVANT ISSUES -

The enforcement bureau is attempting to create new and irrelevant issues which have nothing to do with the subject HDO by going as far afield as possible with discovery requests for documents and interrogatories that literally require reconstruction of the entire almost 30 year history of each station involved in this proceeding.

Review of the enforcement bureau's discovery requests reveals its attempt to obscure the relevant time periods in the subject HDO in favor of shifting focus to the entire almost 30 year history of each subject station from the initial application for each station up to the present time.

It appears that the enforcement bureau lacks sufficient evidence to sustain its burden of proof on the allegations asserted in the subject HDO and is therefore attempting to re-shape this proceeding into a general inquiry into the entire almost 30 year history of each station subject to this proceeding.

CONCLUSION -

The discovery requests of the enforcement bureau are objectionable, abuse of the discovery process, and should not be approved in this matter.

It is respectfully requested that the enforcement bureau's motions to compel be denied.

Respectfully submitted,



William L. Zawila  
Attorney for the Estate of Linda  
Ware, Cynthia Ramage, Executor,  
the Estate of H.L. Charles, Robert  
Willing, Executor, Avenal Education-  
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9-3-15

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing  
Joint Opposition to Enforcement Bureau's Motions to Compel, Etc.

was served on the following by U.S. First Class Mail, postage  
prepaid, on 9-3-15:

Chief Administrative Law Judge

Richard L. Sippel

FCC

445 12th Street, S.W. - Room 1-C768

Washington, D.C. 20554

Pamela S. Kane, Esquire

Investigations and Hearings Division

Enforcement Bureau

FCC

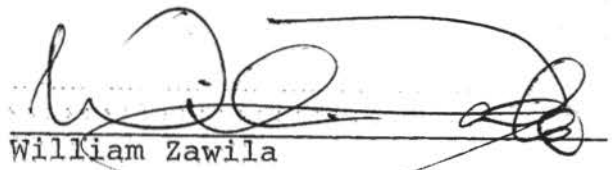
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William Zawila